

103D CONGRESS
1ST SESSION

H. R. 2631

To provide direct, permanent disaster assistance for crop losses for the 1993 and subsequent crop years, without the proration of benefits.

IN THE HOUSE OF REPRESENTATIVES

JULY 14, 1993

Mr. BARLOW introduced the following bill; which was referred to the Committee on Agriculture

A BILL

To provide direct, permanent disaster assistance for crop losses for the 1993 and subsequent crop years, without the proration of benefits.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*

3 **SECTION 1. EXTENSION OF EMERGENCY CROP LOSS AS-**
4 **SISTANCE.**

5 (a) EXTENSION OF ASSISTANCE.—Chapter 3 of sub-
6 title B of title XXII of the Food, Agriculture, Conserva-
7 tion and Trade Act of 1990 (7 U.S.C. 1421 note; 104
8 Stat. 3962) is amended to read as follows:

1 **“CHAPTER 3—EMERGENCY CROP LOSS**

2 **ASSISTANCE**

3 **“SEC. 2240. SHORT TITLE.**

4 “‘This chapter may be cited as the ‘Agricultural Dis-
5 aster Assistance Act’.

6 **“Subchapter A—Annual Crops**

7 **“SEC. 2241. PAYMENTS TO PROGRAM PARTICIPANTS FOR**
8 **TARGET PRICE COMMODITIES.**

9 “(a) DISASTER PAYMENTS.—

10 “(1) PAYMENT ACRES.—Effective only for a
11 crop year for which the producers on a farm elect
12 to participate in the production adjustment program
13 established under the Agricultural Act of 1949 (7
14 U.S.C. 1421 et seq.) for the crop of wheat, feed
15 grains, upland cotton, extra long staple cotton, or
16 rice for such crop year, except as otherwise provided
17 in this subsection, if the Secretary of Agriculture de-
18 termines that, because of damaging weather or relat-
19 ed condition, the total quantity of such crop of the
20 commodity that such producers are able to harvest
21 on the farm is less than the result of multiplying 60
22 percent (or, in the case of producers who obtained
23 crop insurance for such crop of the commodity under
24 the Federal Crop Insurance Act (7 U.S.C. 1501 et
25 seq.), 65 percent) of the farm program payment
26 yield established by the Secretary for such crop by

1 the sum of the acreage planted for harvest and the
2 acreage prevented from being planted (because of a
3 natural disaster, as determined by the Secretary)
4 within the payment acres for such crop, the Sec-
5 retary shall make a disaster payment available to
6 such producers at a rate equal to 65 percent of the
7 established price for the crop for any deficiency in
8 production greater than 40 percent (or, in the case
9 of producers who obtained crop insurance for such
10 crop of the commodity under the Federal Crop In-
11 surance Act, 35 percent) for such crop.

12 “(2) FLEXIBLE ACRES.—Payments shall be
13 made available for a crop of a commodity planted
14 for harvest in accordance with section 504 of the
15 Agricultural Act of 1949 (7 U.S.C. 1464), and for
16 which prevented planting credit was provided for
17 such crop, on the same terms and conditions as pro-
18 vided for such commodity under section 2242, 2243,
19 or 2244, as applicable. Such payments shall be
20 based on the reduction in the quantity of the crop
21 of the commodity that producers are able to harvest
22 on such acres.

23 “(3) LIMITATIONS.—

24 “(A) ACREAGE IN EXCESS OF PAYMENT
25 ACREAGE.—Payments provided under para-

1 graph (1) for a crop of a commodity may not
2 be made available to producers on a farm with
3 respect to any acreage in excess of the payment
4 acreage for the farm for the commodity.

5 “(B) CROP INSURANCE.—Payments pro-
6 vided under paragraph (1) for a crop of a com-
7 modity may not be made available to producers
8 on a farm unless such producers enter into an
9 agreement to obtain multiperil crop insurance,
10 to the extent required under section 2247.

11 “(4) REDUCTION IN DEFICIENCY PAYMENTS.—
12 The total quantity of a crop of a commodity on
13 which deficiency payments otherwise would be pay-
14 able to producers on a farm under the Agricultural
15 Act of 1949 shall be reduced by the quantity on
16 which a payment is made to the producers for the
17 crop under paragraph (1).

18 “(5) ELECTION OF PAYMENTS.—

19 “(A) APPLICATION OF PARAGRAPH.—This
20 paragraph shall apply for a crop year, effective
21 only for the crops of wheat, feed grains, upland
22 cotton, extra long staple cotton, and rice, to
23 producers on a farm who—

1 “(i) had failed wheat, feed grain, up-
2 land cotton, extra long staple cotton, or
3 rice acreage during such crop year; or

4 “(ii) were prevented from planting
5 acreage to such commodity because of
6 damaging weather or related condition.

7 “(B) ELECTION.—The Secretary of Agri-
8 culture shall (within 30 days after the date on
9 which assistance is made available under this
10 subchapter for a crop year) permit producers
11 referred to in subparagraph (A) to elect wheth-
12 er to receive disaster payments for such crop
13 for such crop year in accordance with this sec-
14 tion in lieu of payments received for such crop
15 under section 101B(c)(1)(D), 103B(c)(1)(D),
16 105B(c)(1)(E), or 107B(c)(1)(E) of the Agri-
17 cultural Act of 1949.

18 “(6) SPRING WHEAT AS REPLACEMENT CROP
19 FOR WINTER WHEAT.—In providing assistance under
20 this section or section 2242 for a crop of winter
21 wheat, the Secretary shall disregard spring wheat
22 that is planted as a replacement crop for such win-
23 ter wheat.

24 “(b) ADVANCE DEFICIENCY PAYMENTS.—

1 “(1) APPLICATION OF SUBSECTION.—This sub-
2 section shall apply only for a crop year for which the
3 producers on a farm elect to participate in the pro-
4 duction adjustment program established under the
5 Agricultural Act of 1949 for the crop of wheat, feed
6 grains, upland cotton, extra long staple cotton, or
7 rice for such crop year.

8 “(2) FORGIVENESS OF REFUND REQUIRE-
9 MENT.—

10 “(A) IN GENERAL.—Subject to subpara-
11 graph (B), if because of damaging weather or
12 related condition the total quantity of such crop
13 of the commodity that the producers are able to
14 harvest on the farm is less than the result of
15 multiplying the farm program payment yield es-
16 tablished by the Secretary for such crop by the
17 sum of the acreage planted for harvest and the
18 acreage prevented from being planted (because
19 of a natural disaster, as determined by the Sec-
20 retary) for such crop (hereinafter in this section
21 referred to as the ‘qualifying amount’), the pro-
22 ducers shall not be required to refund any ad-
23 vance deficiency payment made to the produc-
24 ers for such crop under section 114 of the Agri-
25 cultural Act of 1949 (7 U.S.C. 1445j) with re-

1 spect to that portion of the deficiency in pro-
2 duction that does not exceed—

3 “(i) in the case of producers who ob-
4 tained crop insurance for such crop of the
5 commodity under the Federal Crop Insur-
6 ance Act, 35 percent of the qualifying
7 amount; and

8 “(ii) in the case of other producers,
9 40 percent of the qualifying amount.

10 “(B) CROP INSURANCE.—Producers on a
11 farm shall not be eligible for the forgiveness
12 provided for under subparagraph (A), unless
13 such producers enter into an agreement to ob-
14 tain multiperil crop insurance to the extent re-
15 quired under section 2247.

16 “(3) ELECTION FOR NONRECIPIENTS.—The
17 Secretary shall allow producers on a farm who, be-
18 fore the date on which assistance is made available
19 under this subchapter for a crop year, elect not to
20 receive advance deficiency payments made available
21 for the crop for such crop year under section 114 of
22 the Agricultural Act of 1949 (7 U.S.C. 1445j) to
23 elect (within 30 days after such date) whether to re-
24 ceive such advance deficiency payments.

1 “(4) DATE OF REFUND FOR PAYMENTS.—If the
 2 Secretary determines that any portion of the ad-
 3 vance deficiency payment made to producers for a
 4 crop of wheat, feed grains, upland cotton, extra long
 5 staple cotton, or rice under section 114 of the Agri-
 6 cultural Act of 1949 (7 U.S.C. 1445j) must be re-
 7 funded, such refund shall not be required prior to
 8 July 31 of the year following such determination for
 9 that portion of the crop for which a disaster pay-
 10 ment is made under subsection (a).

11 **“SEC. 2242. PAYMENTS TO PROGRAM NONPARTICIPANTS**
 12 **FOR TARGET PRICE COMMODITIES AND PAY-**
 13 **MENTS TO PROGRAM PARTICIPANTS FOR**
 14 **TARGET PRICE COMMODITIES ON FLEXIBLE**
 15 **ACRES.**

16 “(a) DISASTER PAYMENTS.—

17 “(1) IN GENERAL.—Effective only for a crop
 18 year for which the producers on a farm elect not to
 19 participate in the production adjustment program
 20 established under the Agricultural Act of 1949 (7
 21 U.S.C. 1421 et seq.) for the crop of wheat, feed
 22 grains, upland cotton, extra long staple cotton, or
 23 rice for such crop year (and for such crop on flexible
 24 acres as provided under section 2241(a)(2)), if the
 25 Secretary of Agriculture determines that, because of

1 damaging weather or related condition, the total
2 quantity of such crop of the commodity that such
3 producers are able to harvest on the farm is less
4 than the result of multiplying 60 percent (or in the
5 case of producers who obtained crop insurance for
6 such crop, 65 percent) of the county average yield
7 established by the Secretary for such crop by the
8 sum of acreage planted for harvest and the acreage
9 for which prevented planted credit is approved by
10 the Secretary for such crop under subsection (b), the
11 Secretary shall make a disaster payment available to
12 such producers.

13 “(2) PAYMENT RATE.—The payment shall be
14 made to the producers at a rate equal to 65 percent
15 of the basic county loan rate (or a comparable price
16 if there is no current basic county loan rate) for the
17 crop, as determined by the Secretary, for any defi-
18 ciency in production greater than 40 percent for the
19 crop (or in the case of producers who obtained crop
20 insurance, 35 percent).

21 “(b) PREVENTED PLANTING CREDIT.—

22 “(1) IN GENERAL.—The Secretary shall provide
23 prevented planting credit under subsection (a) with
24 respect to acreage for a crop year that producers on
25 a farm were prevented from planting to such crop of

1 the commodity for harvest because of damaging
2 weather or related condition, as determined by the
3 Secretary.

4 “(2) MAXIMUM ACREAGE.—Such acreage may
5 not exceed the greater of—

6 “(A) a quantity equal to the acreage on
7 the farm planted (or prevented from being
8 planted due to a natural disaster or other con-
9 dition beyond the control of the producers) to
10 the commodity for harvest in the immediately
11 preceding crop year minus acreage actually
12 planted to the commodity for harvest in the
13 crop year involved;

14 “(B) a quantity equal to the average of the
15 acreage on the farm planted (or prevented from
16 being planted due to a natural disaster or other
17 condition beyond the control of the producers)
18 to the commodity for harvest in the three im-
19 mediately preceding crop years minus acreage
20 actually planted to the commodity for harvest in
21 the crop year involved; or

22 “(C) with respect to flexible acres as pro-
23 vided under section 2241(a)(2) for which no
24 such planting history is established, a quantity

1 of acreage determined to be fair and reasonable
2 by the Secretary.

3 “(3) ADJUSTMENTS.—The Secretary shall
4 make appropriate adjustments in applying the limi-
5 tations contained in paragraph (2) to take into ac-
6 count crop rotation practices of the producers.

7 “(c) LIMITATIONS.—

8 “(1) ACREAGE LIMITATION PROGRAM.—The
9 amount of payments made available to producers on
10 a farm who elect not to participate in the production
11 adjustment program for a crop of a commodity
12 under subsection (a) shall be reduced by a factor
13 equivalent to the acreage limitation program per-
14 centage established for such crop under the Agricul-
15 tural Act of 1949.

16 “(2) CROP INSURANCE.—Payments provided
17 under subsection (a) for a crop of a commodity may
18 not be made available to the producers on a farm
19 unless such producers enter into an agreement to
20 obtain multiperil crop insurance to the extent re-
21 quired under section 2247.

22 **“SEC. 2243. PEANUTS, SUGAR, AND TOBACCO.**

23 “(a) DISASTER PAYMENTS.—

24 “(1) IN GENERAL.—Effective for a crop year
25 only for crops of peanuts, sugar beets, sugarcane,

1 and tobacco in such crop year, if the Secretary of
2 Agriculture determines that, because of damaging
3 weather or related condition, the total quantity of
4 such crop of the commodity that the producers on
5 a farm are able to harvest is less than the result of
6 multiplying 60 percent (or, in the case of producers
7 who obtained crop insurance for such crop of the
8 commodity under the Federal Crop Insurance Act (7
9 U.S.C. 1501 et seq.), 65 percent) of the county aver-
10 age yield (or program yield, in the case of peanuts)
11 established by the Secretary for such crop by the
12 sum of the acreage planted for harvest and the acre-
13 age for which prevented planted credit is approved
14 by the Secretary for such crop under subsection (b),
15 the Secretary shall make a disaster payment avail-
16 able to such producers.

17 “(2) PAYMENT RATE.—The payment shall be
18 made to the producers at a rate equal to 65 percent
19 of the applicable payment level under paragraph (3),
20 as determined by the Secretary, for any deficiency in
21 production greater than—

22 “(A) in the case of producers who obtained
23 crop insurance for the crop of the commodity
24 for such crop year under the Federal Crop In-
25 surance Act—

1 “(i) 35 percent for the crop; or

2 “(ii) with respect to a crop of burley
3 tobacco or flue-cured tobacco, 35 percent
4 of the farm’s effective marketing quota for
5 such crop for such crop year; and

6 “(B) in the case of producers who did not
7 obtain crop insurance for the crop of the com-
8 modity for such crop year under the Federal
9 Crop Insurance Act—

10 “(i) 40 percent for the crop; or

11 “(ii) with respect to a crop of burley
12 tobacco or flue-cured tobacco, 40 percent
13 of the farm’s effective marketing quota for
14 such crop for such crop year.

15 “(3) PAYMENT LEVEL.—For purposes of para-
16 graph (1), the payment level for a commodity shall
17 be equal to—

18 “(A) for peanuts, the price support level
19 for quota peanuts or the price support level for
20 additional peanuts, as applicable;

21 “(B) for tobacco, the national average loan
22 rate for the type of tobacco involved, or (if
23 there is none) the market price, as determined
24 under section 2244(a)(2); and

1 “(C) for sugar beets and sugarcane, a level
2 determined by the Secretary to be fair and rea-
3 sonable in relation to the level of price support
4 established for crops of sugar beets and sugar-
5 cane for the crop year involved, and that, inso-
6 far as is practicable, shall reflect no less return
7 to the producer than under the price support
8 levels in effect for such crop year.

9 “(b) PREVENTED PLANTING CREDIT.—

10 “(1) IN GENERAL.—The Secretary shall provide
11 prevented planting credit under subsection (a) with
12 respect to acreage for a crop year that producers on
13 a farm were prevented from planting to such crop of
14 the commodity for harvest because of damaging
15 weather or related condition, as determined by the
16 Secretary.

17 “(2) MAXIMUM ACREAGE.—Such acreage may
18 not exceed the greater of—

19 “(A) a quantity equal to the acreage on
20 the farm planted (or prevented from being
21 planted due to a natural disaster or other con-
22 dition beyond the control of the producers) to
23 the commodity for harvest in the immediately
24 preceding crop year minus acreage actually
25 planted for harvest in the crop year involved;

1 “(B) a quantity equal to the average of the
2 acreage on the farm planted (or prevented from
3 being planted due to a natural disaster or other
4 condition beyond the control of the producers)
5 to the commodity for harvest in the three im-
6 mediately preceding crop years minus acreage
7 actually planted to the commodity for harvest in
8 the crop year involved; or

9 “(C) with respect to flexible acres as pro-
10 vided under section 2241(a)(2) for which no
11 such planting history is established, a quantity
12 of acreage determined to be fair and reasonable
13 by the Secretary.

14 “(3) ADJUSTMENTS.—The Secretary shall
15 make appropriate adjustments in applying for a crop
16 year the limitations contained in paragraph (2) to
17 take into account crop rotation practices of the pro-
18 ducers and any change in quotas for crops of to-
19 bacco for such crop year.

20 “(c) LIMITATION.—Payments provided under sub-
21 section (a) for a crop of a commodity may not be made
22 available to the producers on a farm unless such producers
23 enter into an agreement to obtain multiperil crop insur-
24 ance to the extent required under section 2247.

1 “(d) SPECIAL RULES FOR PEANUTS.—Notwithstand-
2 ing any other provision of law—

3 “(1) a deficiency in production of quota peanuts
4 from a farm, as otherwise determined under this
5 section, shall be reduced by the quantity of peanut
6 poundage quota that was the basis of such antici-
7 pated production that has been transferred from the
8 farm;

9 “(2) payments made under this section shall be
10 made taking into account whether the deficiency for
11 which the deficiency in production is claimed was a
12 deficiency in production of quota or additional pea-
13 nuts and the payment rate shall be established ac-
14 cordingly; and

15 “(3) the quantity of undermarketings of quota
16 peanuts from a farm for a crop that may otherwise
17 be claimed under section 358–1 of the Agricultural
18 Adjustment Act of 1938 (7 U.S.C. 1358–1) for pur-
19 poses of future quota increases shall be reduced by
20 the quantity of the deficiency of production of such
21 peanuts for which payment has been received under
22 this section.

23 “(e) SPECIAL RULES FOR TOBACCO.—Notwithstand-
24 ing any other provision of law—

1 “(1) the quantity of undermarketings of quota
2 tobacco from a farm for a crop that may otherwise
3 be claimed under section 317 or 319 of the Agricul-
4 tural Adjustment Act of 1938 (7 U.S.C. 1314c or
5 1314e) for purposes of future quota increases shall
6 be reduced by the quantity of the deficiency of pro-
7 duction of such tobacco for which payment has been
8 received under this section; and

9 “(2) disaster payments made to producers
10 under this section may not be considered by the Sec-
11 retary in determining the net losses of the Commod-
12 ity Credit Corporation under section 106A(d) of the
13 Agricultural Act of 1949 (7 U.S.C. 1445–1(d)).

14 “(f) SPECIAL RULE FOR SUGARCANE.—For purposes
15 of determining the total quantity of a crop of sugarcane
16 that the producers on a farm are able to harvest, the Sec-
17 retary shall make the determination based on the quantity
18 of recoverable sugar.

19 **“SEC. 2244. OILSEEDS AND NONPROGRAM CROPS.**

20 “(a) DISASTER PAYMENTS.—

21 “(1) IN GENERAL.—

22 “(A) ELIGIBILITY.—Effective for a crop
23 year only for the crops of oilseeds (as defined
24 in section 205(a) of the Agricultural Act of
25 1949 (7 U.S.C. 1446f(a)) and nonprogram

1 crops, the Secretary shall make a disaster pay-
2 ment under this section available to the produc-
3 ers on a farm if the Secretary of Agriculture
4 determines that, because of damaging weather
5 or related condition, the total quantity of such
6 crop of the commodity that the producers are
7 able to harvest is less than—

8 “(i) with respect to oilseeds, the result
9 of multiplying 60 percent (or in the case of
10 producers who obtained crop insurance, if
11 available, for such crop year for the com-
12 modity under the Federal Crop Insurance
13 Act (7 U.S.C. 1501 et seq.), 65 percent) of
14 the State, area, or county yield, adjusted
15 for adverse weather conditions during the
16 three immediately preceding crop years, as
17 determined by the Secretary, for such crop
18 by the sum of the acreage planted for har-
19 vest and the acreage for which prevented
20 planting credit is approved by the Sec-
21 retary for such crop under subsection (b);

22 “(ii) with respect to nonprogram
23 crops (other than as provided in clauses
24 (i), (iii), (iv)), the result of multiplying 60
25 percent (or in the case of producers who

1 obtained crop insurance, if available, for
2 such crop year for the commodity under
3 the Federal Crop Insurance Act (7 U.S.C.
4 1501 et seq.), 65 percent) of the yield es-
5 tablished by the Commodity Credit Cor-
6 poration under subsection (d)(2) for such
7 crop by the sum of the acreage planted for
8 harvest and the acreage for which pre-
9 vented planting credit is approved by the
10 Secretary for such crop under subsection
11 (b);

12 “(iii) with respect to crops covered in
13 section 207 of the Agricultural Act of 1949
14 (7 U.S.C. 1446h), 60 percent (or in the
15 case of producers who obtained crop insur-
16 ance, if available, for such crop year for
17 the commodity under the Federal Crop In-
18 surance Act (7 U.S.C. 1501 et seq.), 65
19 percent) of the historical annual yield of
20 the producers for such crops, as deter-
21 mined by the Secretary; and

22 “(iv) with respect to fish or seafood,
23 60 percent of the historical annual yield of
24 the producers of such crops, as determined
25 by the Secretary.

1 “(B) PAYMENT RATE.—The payment shall
2 be made to such producers at a rate equal to
3 65 percent of the applicable payment level
4 under paragraph (2), as determined by the Sec-
5 retary, for any deficiency in production greater
6 than 40 percent for oilseeds and other
7 nonprogram crops for the crop, except that in
8 the case of producers who obtained crop insur-
9 ance, if available, for such crop under the Fed-
10 eral Crop Insurance Act (7 U.S.C. 1501 et
11 seq.), 35 percent.

12 “(C) LIMITATION ON ASSISTANCE FOR
13 AQUACULTURE.—The total amount of payments
14 made available to all producers under subpara-
15 graph (A)(iv) shall not exceed \$30,000,000 in
16 any year.

17 “(2) PAYMENT LEVEL.—For purposes of para-
18 graph (1), the payment level for a commodity shall
19 equal the simple average price received by producers
20 of the commodity, as determined by the Secretary
21 subject to paragraph (3), during the marketing
22 years for the immediately preceding 5 crops of the
23 commodity, excluding the year in which the average
24 price was the highest and the year in which the av-
25 erage price was the lowest in such period.

1 “(3) CALCULATION OF PAYMENTS FOR DIF-
2 FERENT VARIETIES.—

3 “(A) CROP-BY-CROP BASIS.—The Sec-
4 retary shall make disaster payments under this
5 subsection on a crop-by-crop basis, with consid-
6 eration given to markets and uses of the crops,
7 under regulations issued by the Secretary.

8 “(B) DIFFERENT VARIETIES.—For pur-
9 poses of determining the payment levels on a
10 crop-by-crop basis, the Secretary shall consider
11 as separate crops, and develop separate pay-
12 ment levels insofar as is practicable for, dif-
13 ferent varieties of the same commodity, and
14 commodities for which there is a significant dif-
15 ference in the economic value in the market.

16 “(C) DOUBLE CROPPING.—

17 “(i) TREATED SEPARATELY.—In the
18 case of a crop that is historically double
19 cropped (including two crops of the same
20 commodity) by the producers on a farm,
21 the Secretary shall treat each cropping
22 separately for purposes of determining
23 whether the crop was affected by damaging
24 weather or related condition and the total

1 quantity of the crop that the producers are
2 able to harvest.

3 “(ii) APPLICATION OF SUBPARA-
4 GRAPH.—This subparagraph shall not
5 apply in the case of a replacement crop.

6 “(D) NAVEL AND VALENCIA ORANGES
7 TREATED AS SEPARATE CROPS.—For the pur-
8 pose of programs administered under this chap-
9 ter and the Consolidated Farm and Rural De-
10 velopment Act (7 U.S.C. 1921 et seq.), navel
11 oranges and valencia oranges shall be consid-
12 ered separate crops.

13 “(4) EXCLUSIONS FROM HARVESTED QUAN-
14 TITIES.—For purposes of determining the total
15 quantity of a nonprogram crop of the commodity
16 that the producers on a farm are able to harvest
17 under paragraph (1), the Secretary shall exclude—

18 “(A) commodities that cannot be sold in
19 normal commercial channels of trade; and

20 “(B) dockage, including husks and shells,
21 if such dockage is excluded in determining
22 yields under subsection (d)(2).

23 “(b) PREVENTED PLANTING CREDIT.—

24 “(1) IN GENERAL.—The Secretary shall provide
25 prevented planting credit under subsection (a) with

1 respect to acreage for a crop year that producers on
2 a farm were prevented from planting to the crop of
3 the commodity for harvest because of damaging
4 weather or related condition, as determined by the
5 Secretary.

6 “(2) MAXIMUM ACREAGE.—Such acreage may
7 not exceed the greater of—

8 “(A) a quantity equal to the acreage on
9 the farm planted (or prevented from being
10 planted due to a natural disaster or other con-
11 dition beyond the control of the producers) to
12 the commodity for harvest in the immediately
13 preceding crop year minus acreage actually
14 planted for harvest in the crop year involved;

15 “(B) a quantity equal to the average of the
16 acreage on the farm planted (or prevented from
17 being planted due to a natural disaster or other
18 condition beyond the control of the producers)
19 to the commodity for harvest in the three im-
20 mediately preceding crop years minus acreage
21 actually planted to the commodity for harvest in
22 the crop year involved; or

23 “(C) with respect to flexible acres as pro-
24 vided under section 2241(a)(2) for which no
25 such planting history is established, a quantity

1 of acreage determined to be fair and reasonable
2 by the Secretary.

3 “(3) ADJUSTMENTS.—The Secretary shall
4 make appropriate adjustments in applying the limi-
5 tations contained in paragraph (2) to take into ac-
6 count crop rotation practices of the producers.

7 “(c) LIMITATION.—Payments provided under sub-
8 section (a) for a crop of a commodity may not be made
9 available to the producers on a farm unless such producers
10 enter into an agreement to obtain multiperil crop insur-
11 ance to the extent required under section 2247.

12 “(d) SPECIAL RULES FOR NONPROGRAM CROPS.—

13 “(1) NONPROGRAM CROP DEFINED.—

14 “(A) INCLUDED IN DEFINITION.—Except
15 as provided in subparagraph (B), for purposes
16 of this section, the term ‘nonprogram crop’
17 means—

18 “(i) all crops for which crop insurance
19 through the Federal Crop Insurance Cor-
20 poration was available for a crop year; and

21 “(ii) other commercial crops for which
22 such insurance was not available for such
23 crop year, including but not limited to—

1 “(I) ornamentals, such as flower-
2 ing shrubs, flowering trees, field or
3 container grown roses, or turf;

4 “(II) sweet potatoes; and

5 “(III) fish or seafood produced in
6 established freshwater commercial
7 aquaculture operations.

8 “(B) EXCEPTION.—The term ‘nonprogram
9 crop’ in subparagraph (A) shall not include a
10 crop covered under section 2241, 2242, or
11 2243, or oilseeds.”.

12 “(2) FARM YIELDS.—

13 “(A) ESTABLISHMENT.—The Commodity
14 Credit Corporation shall establish disaster pro-
15 gram farm yields for nonprogram crops to carry
16 out this section.

17 “(B) PROVEN YIELDS AVAILABLE.—If the
18 producers on a farm can provide satisfactory
19 evidence to the Commodity Credit Corporation
20 of actual crop yields on the farm for at least
21 one of the immediately preceding three crop
22 years, the yield for the farm shall be based on
23 such proven yield.

24 “(C) PROVEN YIELDS NOT AVAILABLE.—If
25 such data do not exist for any of the three pre-

ceding crop years, the Commodity Credit Corporation shall establish a yield for the farm by using a county average yield for the commodity, or by using other data available to it.

“(D) COUNTY AVERAGE YIELDS.—In establishing county average yields for nonprogram crops, the Commodity Credit Corporation shall use the best available information concerning yields. Such information may include extension service records, credible nongovernmental studies, and yields in similar counties.

“(3) RESPONSIBILITY OF PRODUCERS.—It shall be the responsibility of the producers of nonprogram crops to provide satisfactory evidence of crop losses for a crop year resulting from damaging weather or related condition in order for such producers to obtain disaster payments under this section.

“SEC. 2245. CROP QUALITY REDUCTION DISASTER PAYMENTS.

“(a) IN GENERAL.—To ensure that all producers of crops covered under sections 2241 through 2244 are treated equitably, the Secretary of Agriculture shall make additional disaster payments to producers of such crops for a crop year who suffer losses resulting from the reduced

1 quality of such crops caused by damaging weather or re-
2 lated condition, as determined by the Secretary.

3 “(b) ELIGIBLE PRODUCERS.—If the Secretary deter-
4 mines to make crop quality disaster payments available
5 to producers under subsection (a), producers on a farm
6 of a crop described in subsection (a) shall be eligible to
7 receive reduced quality disaster payments only if such pro-
8 ducers incur a deficiency in production of not less than
9 35 percent and not more than 75 percent for such crop
10 (as determined under section 2241, 2242, 2243, or 2244,
11 as appropriate).

12 “(c) MAXIMUM PAYMENT RATE.—The Secretary
13 shall establish the reduced quality disaster payment rate,
14 except that such rate shall not exceed 10 percent, as deter-
15 mined by the Secretary, of—

16 “(1) the established price for the crop, for com-
17 modities covered under section 2241;

18 “(2) the basic county loan rate for the crop (or
19 a comparable price if there is no current basic coun-
20 ty loan rate), for commodities covered under section
21 2242;

22 “(3) the payment level under section
23 2243(a)(3), for commodities covered by section
24 2243; and

1 “(4) the payment level under section
2 2244(a)(2), for commodities covered under section
3 2244.

4 “(d) DETERMINATION OF PAYMENT.—The amount
5 of payment to a producer under this section shall be deter-
6 mined by multiplying the payment rate established under
7 subsection (c) by the portion of the actual harvested crop
8 on the producer’s farm that is reduced in quality by such
9 natural disaster, as determined by the Secretary.

10 **“SEC. 2246. EFFECT OF FEDERAL CROP INSURANCE PAY-**
11 **MENTS.**

12 “In the case of producers on a farm who obtained
13 crop insurance for a crop of a commodity under the Fed-
14 eral Crop Insurance Act (7 U.S.C. 1501 et seq.), the Sec-
15 retary of Agriculture shall reduce the amount of payments
16 made available under this subchapter for such crop to the
17 extent that the amount determined by adding the net
18 amount of crop insurance indemnity payment (gross in-
19 demnity less premium paid) received by such producers
20 for the deficiency in the production of the crop and the
21 disaster payment determined in accordance with this chap-
22 ter for such crop exceeds the amount determined by mul-
23 tiplying—

1 “(1) 100 percent of the yield used for the cal-
2 culation of disaster payments made under this chap-
3 ter for such crop; by

4 “(2) the sum of the acreage of such crop plant-
5 ed to harvest and the acreage for which prevented
6 planting credit is approved by the Secretary (or, in
7 the case of disaster payments under section 2241,
8 the eligible acreage established under paragraphs (1)
9 and (3)(A) of section 2241(a)); by

10 “(3)(A) in the case of producers who partici-
11 pated in a production adjustment program for the
12 crop of wheat, feed grains, upland cotton, extra long
13 staple cotton, or rice for such crop year, the estab-
14 lished price for such crop of the commodity;

15 “(B) in the case of producers who did not par-
16 ticipate in a production adjustment program for the
17 crop of wheat, feed grains, upland cotton, extra long
18 staple cotton, or rice for such crop year (and, with
19 respect to flexible acres as provided under section
20 2241(a)(2), in the case of those producers who did
21 participate in such program for such year), the basic
22 county loan rate (or a comparable price, as deter-
23 mined by the Secretary, if there is no current basic
24 county loan rate) for such crop of the commodity;

1 “(C) in the case of producers of sugar beets,
2 sugarcane, peanuts, or tobacco, the payment level
3 for the commodity established under section
4 2243(a)(3); and

5 “(D) in the case of producers of oilseeds or a
6 nonprogram crop (as defined in section 2244(d)(1)),
7 the simple average price received by producers of the
8 commodity, as determined by the Secretary, during
9 the marketing years for the immediately preceding
10 five crops of the commodity, excluding the year in
11 which the average price was the highest and the year
12 in which the average price was the lowest in such pe-
13 riod.

14 **“SEC. 2247. CROP INSURANCE COVERAGE FOR NEXT CROP**
15 **YEAR.**

16 “(a) REQUIREMENT.—To be eligible to receive for a
17 crop year a disaster payment under this subchapter, an
18 emergency loan under subtitle C of the Consolidated Farm
19 and Rural Development Act (7 U.S.C. 1961 et seq.) for
20 crop losses due to damaging weather or related condition,
21 or forgiveness of the repayment of advance deficiency pay-
22 ments under section 2241(b), the producers on a farm
23 shall agree to obtain multiperil crop insurance under the
24 Federal Crop Insurance Act (7 U.S.C. 1501 et seq.) for
25 the first crop year that begins after the producer receives

1 the payment, loan, or forgiveness for the crop of the com-
2 modity for which such payments, loans, or forgiveness are
3 sought.

4 “(b) LIMITATIONS.—Notwithstanding subsection (a),
5 producers on a farm shall not be required to agree to ob-
6 tain crop insurance under subsection (a) for a commod-
7 ity—

8 “(1) unless such producers’ deficiency in pro-
9 duction, with respect to the crop for which a disaster
10 payment under this chapter otherwise may be made,
11 exceeds 65 percent;

12 “(2) where, or if, crop insurance coverage is not
13 available to the producers for the commodity for
14 which the payment, loan, or forgiveness is sought;

15 “(3) if the producers’ annual premium rate for
16 such crop insurance is an amount greater than 125
17 percent of the average premium rate for insurance
18 on that commodity for the preceding crop year in
19 the county in which the producers are located;

20 “(4) in any case in which the producers’ annual
21 premium for such crop insurance is an amount
22 greater than 25 percent of the amount of the pay-
23 ment, loan, or forgiveness received; or

24 “(5) if the producers can establish by appeal to
25 the county committee established under section 8(b)

1 of the Soil Conservation and Domestic Allotment
2 Act (16 U.S.C. 590(b)), or to the county committee
3 established under section 332 of the Consolidated
4 Farm and Rural Development Act (17 U.S.C.
5 1982), as appropriate, that the purchase of crop in-
6 surance would impose an undue financial hardship
7 on such producers and that a waiver of the require-
8 ment to obtain crop insurance should, in the discre-
9 tion of the county committee, be granted.

10 “(c) IMPLEMENTATION.—

11 “(1) COUNTY COMMITTEES.—The Secretary of
12 Agriculture shall ensure (acting through the county
13 committees established under section 8(b) of the Soil
14 Conservation and Domestic Allotment Act and lo-
15 cated in the counties in which the assistance pro-
16 grams provided for under sections 2241 through
17 2245 are implemented, and through the county com-
18 mittees established under section 332 of the Consoli-
19 dated Farm and Rural Development Act in counties
20 in which emergency loans, as described in subsection
21 (a), are made available) that producers who apply
22 for assistance, as described in subsection (a), obtain
23 multiperil crop insurance as required under this sec-
24 tion.

1 “(2) OTHER SOURCES.—Each producer who is
2 subject to the requirements of this section may com-
3 ply with such requirements by providing evidence of
4 multiperil crop insurance coverage from sources
5 other than through the county committee office, as
6 approved by the Secretary.

7 “(3) COMMISSIONS.—The Secretary shall pro-
8 vide by regulation for a reduction in the commis-
9 sions paid to private insurance agents, brokers, or
10 companies on crop insurance contracts entered into
11 under this section sufficient to reflect that such in-
12 surance contracts principally involve only a servicing
13 function to be performed by the agent, broker, or
14 company.

15 “(d) REPAYMENT OF BENEFITS.—Notwithstanding
16 any other provision of law, if (before the end of the crop
17 year for which multiperil crop insurance is obtained pursu-
18 ant to subsection (a)) such crop insurance coverage is can-
19 celed by the producer, the producer—

20 “(1) shall make immediate repayment to the
21 Secretary of any disaster payment or forgiven ad-
22 vance deficiency payment that the producer other-
23 wise is required to repay; and

24 “(2) shall become immediately liable for full re-
25 payment of all principal and interest outstanding on

1 any emergency loan described in subsection (a) made
2 subject to this section.

3 **“SEC. 2248. CROPS HARVESTED FOR FORAGE USES.**

4 “Not later than 45 days after funds are appropriated
5 to carry out this subchapter for a crop year, the Secretary
6 of Agriculture shall announce the terms and conditions by
7 which producers on a farm may establish a yield for that
8 crop year with respect to crops that were, or will be, har-
9 vested during such crop year for silage and other forage
10 uses.

11 **“SEC. 2249. PAYMENT LIMITATIONS.**

12 “(a) LIMITATION.—Subject to subsections (b) and
13 (c), the total amount of payments that a person shall be
14 entitled to receive for a crop year under one or more of
15 the programs established under this subchapter may not
16 exceed \$100,000.

17 “(b) NO DOUBLE BENEFITS.—No person may re-
18 ceive disaster payments for a crop year under this sub-
19 chapter to the extent that such person receives a livestock
20 emergency benefit for lost feed production in that year
21 under section 606 of the Agricultural Act of 1949 (7
22 U.S.C. 1471d).

23 “(c) COMBINED LIMITATION.—

24 “(1) IN GENERAL.—No person may receive any
25 payment under this subchapter or benefit under title

1 VI of the Agricultural Act of 1949 (7 U.S.C. 1471
2 et seq.) for livestock emergency losses suffered in a
3 crop year if such payment or benefit will cause the
4 combined total amount of such payments and bene-
5 fits received by such person in such year to exceed
6 \$100,000.

7 “(2) ELECTION.—If a producer is subject to
8 paragraph (1), the person may elect (subject to the
9 benefits limitations under section 609 of the Agricul-
10 tural Act of 1949 (7 U.S.C. 1471g) whether to re-
11 ceive the \$100,000 in such payments, or such live-
12 stock emergency benefits (not to exceed \$50,000), or
13 a combination of payments and benefits specified by
14 the person.

15 “(d) REGULATIONS.—The Secretary of Agriculture
16 shall issue regulations prescribing such rules as the Sec-
17 retary determines necessary to ensure a fair and reason-
18 able application of the limitations established under this
19 section.

20 **“SEC. 2250. SUBSTITUTION OF CROP INSURANCE PROGRAM**
21 **YIELDS.**

22 “(a) IN GENERAL.—Notwithstanding any other pro-
23 vision of this chapter, the Secretary of Agriculture may
24 permit each eligible producer of a crop of a commodity
25 who has obtained multiperil crop insurance for such crop

1 for a crop year or, as provided in subsection (c), the pre-
2 ceding crop year under the Federal Crop Insurance Act
3 (7 U.S.C. 1501 et seq.) to substitute, at the discretion
4 of the producer, the crop insurance yield for such crop,
5 as established under such Act, for the farm yield otherwise
6 assigned to the producer under this subchapter, for the
7 purposes of determining such producer's eligibility for a
8 disaster payment on such crop under this subchapter for
9 the crop year involved and the amount of such payment.

10 “(b) ADJUSTMENT OF ADVANCED DEFICIENCY PAY-
11 MENTS.—

12 “(1) IN GENERAL.—Notwithstanding any other
13 provision of this chapter, if an eligible producer of
14 wheat, feed grains, upland cotton, extra long staple
15 cotton, or rice for a crop year elects to substitute
16 yields for such producer's crop under subsection (a),
17 the producer's eligibility for a waiver of repayment
18 of an advance deficiency payment on such crop
19 under this chapter shall be adjusted as provided in
20 paragraph (2).

21 “(2) AMOUNT.—The amount of production of
22 such crop on which the producer otherwise would be
23 eligible for waiver of repayment of advance defi-
24 ciency payments under this subchapter shall be re-

1 duced by an amount of production equal to the dif-
2 ference between—

3 “(A) the amount of production eligible for
4 disaster payments under this subchapter using
5 a substituted yield under this section; and

6 “(B) the amount of production that would
7 have been eligible for disaster payments using
8 the farm program payment yield otherwise as-
9 signed to the producer under this chapter.

10 “(c) MULTIPERIL CROP INSURANCE NOT AVAIL-
11 ABLE.—A producer may use the crop insurance yield for
12 the producer’s crop of a commodity for the preceding crop
13 year for purposes of substituting yields under subsection
14 (a) if the producer demonstrates to the Secretary that,
15 through no fault of the producer, multiperil crop insurance
16 under the Federal Crop Insurance Act was not made avail-
17 able to the producer for the producer’s crop of the com-
18 modity for the crop year involved.

19 “(d) DEFINITION OF ELIGIBLE PRODUCER.—For
20 purposes of this section, the term ‘eligible producer’ means
21 a producer of a crop of wheat, feed grains, upland cotton,
22 extra long staple cotton, rice, or oilseeds.

23 **“SEC. 2251. DE MINIMIS YIELDS.**

24 “The Secretary of Agriculture may determine a de
25 minimis yield for each crop eligible for reduced yield disas-

1 ter payments under this subchapter. The de minimis yield
2 shall be set at a level that will minimize any incentive (be-
3 cause of the prospect of disaster payments) for a producer
4 to abandon crops that have a value that exceeds the cost
5 of harvesting. In no case may the de minimis yield be less
6 than the amount of production that, when valued at cur-
7 rent market prices, equals the average cost of harvesting
8 the crop, as determined by the Secretary. Any producer
9 whose actual yield for a crop is equal to or less than the
10 de minimis yield for such crop shall be considered as hav-
11 ing an actual yield of zero for the purpose of calculating
12 any reduced yield disaster payments for such crop under
13 this subchapter.

14 **“SEC. 2252. SEPARATE TREATMENT OF EACH PRODUCER**
15 **ON A FARM.**

16 “A producer on a farm who produces any crop of a
17 commodity for which disaster payments are made available
18 under this subchapter shall qualify for a disaster payment
19 if the total quantity of the commodity that the producer
20 is able to harvest on that farm is reduced as a result of
21 damaging weather or related condition in an amount that
22 meets the criteria of section 2241, 2242, 2243, or 2244,
23 even though the producers on the farm, collectively, may
24 not meet such criteria.

1 **“SEC. 2253. DEFINITIONS.**

2 “For purposes of this chapter:

3 “(1) DAMAGING WEATHER.—The term ‘damag-
4 ing weather’ includes but is not limited to drought,
5 hail, excessive moisture, freeze, tornado, hurricane,
6 earthquake, or excessive wind (or any combination
7 thereof) that occurs during the calendar year in
8 which the crop involved is intended to be harvested
9 or the preceding calendar year.

10 “(2) RELATED CONDITION.—The term ‘related
11 condition’ includes but is not limited to insect infes-
12 tations, plant diseases, or other deterioration of a
13 crop of a commodity, including aflatoxin, that is ac-
14 celerated or exacerbated naturally as a result of
15 damaging weather occurring prior to or during har-
16 vest.

17 “(3) PERSON.—The term ‘person’ shall have
18 the meaning given such term by the Secretary in
19 regulations, which shall conform, to the extent prac-
20 ticable, to the regulations defining such term issued
21 under section 1001 of the Food Security Act of
22 1985 (7 U.S.C. 1308) and the Disaster Assistance
23 Act of 1988 (7 U.S.C. 1421 note).

1 **“Subchapter B—Orchards**

2 **“SEC. 2255. ELIGIBILITY.**

3 “(a) LOSS.—The Secretary of Agriculture shall pro-
4 vide assistance under section 2256 to eligible orchardists
5 that planted trees for commercial purposes but lost such
6 trees as a result of damaging weather or related condition
7 occurring in 1993 or a subsequent calendar year.

8 “(b) LIMITATION.—An eligible orchardist shall qual-
9 ify for assistance under subsection (a) only if such or-
10 chardist’s tree mortality, as a result of the damaging
11 weather or related condition, exceeds 35 percent (adjusted
12 for normal mortality).

13 **“SEC. 2256. ASSISTANCE.**

14 “The assistance provided by the Secretary of Agri-
15 culture to eligible orchardists for losses described in sec-
16 tion 2255 shall consist of either—

17 “(1) reimbursement of 65 percent of the cost of
18 replanting trees lost and rehabilitating or restoring
19 trees damaged as a result of damaging weather or
20 related condition in the calendar year involved in ex-
21 cess of 35 percent mortality (adjusted for normal
22 mortality); or

23 “(2) at the discretion of the Secretary, suffi-
24 cient seedlings to reestablish the stand.

1 **“SEC. 2257. LIMITATION ON ASSISTANCE.**

2 “(a) LIMITATION.—The total amount of payments
3 that a person shall be entitled to receive under this sub-
4 chapter for a calendar year may not exceed \$25,000, or
5 an equivalent value in tree seedlings.

6 “(b) REGULATIONS.—The Secretary of Agriculture
7 shall issue regulations prescribing such rules as the Sec-
8 retary determines necessary to ensure a fair and reason-
9 able application of the limitation established under this
10 section.

11 **“SEC. 2258. DEFINITION.**

12 “For purposes of this subchapter, the term ‘eligible
13 orchardist’ means a person who produces annual crops
14 from trees for commercial purposes and owns 500 acres
15 or less of such trees.

16 **“SEC. 2259. DUPLICATIVE PAYMENTS.**

17 “The Secretary of Agriculture shall establish guide-
18 lines to ensure that no person receives duplicative pay-
19 ments under this subchapter and the forestry incentives
20 program, agricultural conservation program, or other Fed-
21 eral program.

22 **“Subchapter C—Forest Crops**

23 **“SEC. 2261. ELIGIBILITY.**

24 “(a) LOSS.—The Secretary of Agriculture shall pro-
25 vide assistance, as specified in section 2262, to eligible
26 tree farmers that planted tree seedlings in a calendar year

1 or the next calendar year for commercial purposes but lost
2 such seedlings as a result of damaging weather or related
3 condition occurring in such next calendar year, as deter-
4 mined by the Secretary.

5 “(b) LIMITATION.—An eligible tree farmer shall qual-
6 ify for assistance under subsection (a) only if such tree
7 farmer’s tree seedling mortality, as a result of the damag-
8 ing weather or related condition, exceeds 35 percent (ad-
9 justed for normal mortality).

10 **“SEC. 2262. ASSISTANCE.**

11 “The assistance provided by the Secretary of Agri-
12 culture to eligible tree farmers for losses described in sec-
13 tion 2261 shall consist of either—

14 “(1) reimbursement of 65 percent of the cost of
15 replanting seedlings lost due to damaging weather or
16 related conditions in the calendar year involved in
17 excess of 35 percent mortality (adjusted for normal
18 mortality); or

19 “(2) at the discretion of the Secretary, suffi-
20 cient tree seedlings to reestablish the stand.

21 **“SEC. 2263. LIMITATION ON ASSISTANCE.**

22 “(a) LIMITATION.—The total amount of payments
23 that a person shall be entitled to receive under this sub-
24 chapter may not exceed \$25,000 for a calendar year, or
25 an equivalent value in tree seedlings.

1 “(b) REGULATIONS.—The Secretary of Agriculture
2 shall issue regulations prescribing such rules as the Sec-
3 retary determines necessary to ensure a fair and reason-
4 able application of the limitation established under this
5 section.

6 **“SEC. 2264. DEFINITION.**

7 “For purposes of this subchapter, the term ‘eligible
8 tree farmer’ means a person who grows trees for harvest
9 for commercial purposes and owns 1,000 acres or less of
10 such trees.

11 **“SEC. 2265. DUPLICATIVE PAYMENTS.**

12 “The Secretary of Agriculture shall establish guide-
13 lines to ensure that no person receives duplicative pay-
14 ments under this subchapter and the forestry incentives
15 program, agricultural conservation program, or other Fed-
16 eral program.

17 **“Subchapter D—Administrative Provisions**

18 **“SEC. 2266. INELIGIBILITY.**

19 “(a) GENERAL RULE.—A person who has qualifying
20 gross revenues in excess of \$2,000,000 annually, as deter-
21 mined by the Secretary of Agriculture, shall not be eligible
22 to receive any disaster payment or other benefits under
23 this chapter.

1 “(b) QUALIFYING GROSS REVENUES.—For purposes
2 of this section, the term “qualifying gross revenues”
3 means—

4 “(1) if a majority of the person’s annual income
5 is received from farming, ranching, and forestry op-
6 erations, the gross revenue from the person’s farm-
7 ing, ranching, and forestry operations; and

8 “(2) if less than a majority of the person’s an-
9 nual income is received from farming, ranching, and
10 forestry operations, the person’s gross revenue from
11 all sources.

12 **“SEC. 2267. TIMING AND MANNER OF ASSISTANCE.**

13 “(a) TIMING OF ASSISTANCE.—

14 “(1) ASSISTANCE MADE AVAILABLE AS SOON AS
15 PRACTICABLE.—Subject to paragraph (2), the Sec-
16 retary of Agriculture shall make disaster assistance
17 available under this chapter for a crop year or a cal-
18 endar year, as applicable, as soon as practicable
19 after the date of the enactment of this Act.

20 “(2) COMPLETED APPLICATION.—No payment
21 or benefit provided under this chapter shall be pay-
22 able or due until such time as a completed applica-
23 tion for such payment or benefit for a crop of a com-
24 modity has been approved.

1 “(b) MANNER.—The Secretary may make payments
2 available under subchapter A in the form of cash, com-
3 modities, or commodity certificates, as determined by the
4 Secretary.

5 **“SEC. 2268. COMMODITY CREDIT CORPORATION.**

6 “(a) USE.—The Secretary of Agriculture shall use
7 the funds, facilities, and authorities of the Commodity
8 Credit Corporation in carrying out this chapter.

9 “(b) EXISTING AUTHORITY.—The authority provided
10 by this chapter shall be in addition to, and not in place
11 of, any authority granted to the Secretary or the Commod-
12 ity Credit Corporation under any other provision of law.

13 **“SEC. 2269. EMERGENCY LOANS.**

14 “Section 321(b) of the Consolidated Farm and Rural
15 Development Act (7 U.S.C. 1961(b)) shall not apply for
16 a calendar year to persons who otherwise would be eligible
17 for an emergency loan under subtitle C of such Act, if
18 such eligibility is the result of damage to an annual crop
19 planted for harvest in such year.

20 **“SEC. 2270. REGULATIONS.**

21 ““The Secretary of Agriculture or the Commodity
22 Credit Corporation, as appropriate, shall issue regulations
23 to implement this chapter as soon as practicable, without
24 regard to the requirement for notice and public participa-

tion in rule making prescribed in section 553 of title 5,
United States Code, or in any directive of the Secretary.

3 **“Subchapter E—Application of Chapter**

4 **“SEC. 2271. APPLICATION OF CHAPTER.**

5 “(a) ANNUAL CROPS.—Subchapter A and section
6 2269 shall apply only with respect to the 1993 and subse-
7 quent crops.

8 “(b) ORCHARDS AND FOREST CROPS.—Subchapters
9 B and C shall apply only with respect to the 1993 and
10 subsequent calendar years.

11 (b) APPLICATION FOR ASSISTANCE.—

12 (1) PRODUCERS AFFECTED BY AMEND-
13 MENTS.—In the case of agricultural producers of
14 1993 or subsequent crops who are affected by the
15 amendments made by this section, the Secretary of
16 Agriculture shall allow those producers to submit ap-
17 plications for initial or additional assistance under
18 chapter 3 of subtitle B of title XXII of the Food,
19 Agriculture, Conservation, and Trade Act of 1990 (7
20 U.S.C. 1421 note) until the later of—

21 (A) the date established by the Secretary
22 under section 2267(a) of such Act for final sub-
23 mission of applications; or

24 (B) the end of the 60-day period beginning
25 on the date of the enactment of this Act.

(2) NOTICE OF DETERMINATION.—Not later than 60 days after the date on which the Secretary receives an application for assistance under subsection (a), the Secretary shall inform the producer submitting the application of the Secretary's determination with regard to the application.

(c) CLERICAL AMENDMENTS.—The table of contents in section 1(b) of the Food, Agriculture, Conservation, and Trade Act of 1990 (Public Law 101–624; 104 Stat. 3359) is amended—

11 (1) by inserting after the item relating to the
12 chapter heading of chapter 3 of subtitle B of title
13 XXII of such Act the following new item:

“Sec. 2240. Short title.”;

14 (2) by striking the item relating to section 2242
15 and inserting the following new item:

“Sec. 2242. Payments to program nonparticipants for target price commodities and payments to program participants for target price commodities on flexible acres.”;

16 (3) by striking the item relating to section 2244
17 and inserting the following new item:

“Sec. 2244. Oilseeds and nonprogram crops.”;

18 (4) by striking the item relating to section 2247
19 and inserting the following new item:

“Sec. 2247. Crop insurance coverage required for next crop year.”;

20 (5) by striking the item relating to section 2251
21 and inserting the following new items:

“Sec. 2251. De minimis yields.

“Sec. 2252. Separate treatment of each producer on a farm.

“Sec. 2253. Definitions.”; and

1 (6) by striking the items relating to subchapter
2 E and sections 2271 and 2272, and inserting the
3 following new items:

“SUBCHAPTER E—APPLICATION OF CHAPTER

“Sec. 2271. Application of chapter.”.

4 **SEC. 2. EMERGENCY GRANTS TO ASSIST LOW-INCOME MI-**
5 **GRANT AND SEASONAL FARMWORKERS.**

6 (a) INCLUSION OF PERMANENT FARMWORKERS AND
7 PACKINGHOUSE WORKERS.—Section 2281 of the Food,
8 Agriculture, Conservation, and Trade Act of 1990 (42
9 U.S.C. 5177a) is amended—

10 (1) by inserting “, permanent,” after “migrant”
11 each place it appears; and

12 (2) in subsection (b)—

13 (A) by inserting “(including a packing-
14 house worker)” after “an individual”; and

15 (B) by inserting “or packinghouse work”
16 after “farm work” both places it appears.

17 (b) CLERICAL AMENDMENTS.—

18 (1) SECTION HEADING.—The section heading of
19 such section is amended to read as follows:

1 **“SEC. 2281. EMERGENCY GRANTS TO ASSIST LOW-INCOME**
 2 **FARMWORKERS AND PACKINGHOUSE WORK-**
 3 **ERS.”.**

4 (2) TABLE OF CONTENTS.—The item relating
 5 to such section in the table of contents in section
 6 1(b) of the Food, Agriculture, Conservation, and
 7 Trade Act of 1990 (Public Law 101–624; 104 Stat.
 8 3359) is amended to read as follows:

“Sec. 2281. Emergency grants to assist low-income farmworkers and packing-
 house workers.”.

9 **SEC. 3. EMERGENCY FEED ASSISTANCE.**

10 Title VI of the Agricultural Act of 1949 (7 U.S.C.
 11 1471 et seq.) is amended—

12 (1) in section 602(1)(A)(i) by striking “live-
 13 stock or a dairy producer” and inserting “livestock,
 14 a dairy producer, or a beekeeper”;

15 (2) in section 602(1)(A)(ii) by inserting after
 16 “husbandry,” the term “beekeeping,”;

17 (3) in section 602(1)(B) by inserting after
 18 “husbandry,” the term “beekeeping,”;

19 (4) in section 602(2) by inserting after “pro-
 20 duction of food,” and the term “bees,”; and

21 (5) in section 602(b)(1)(A) by inserting after
 22 “ranching,” the term “beekeeping,”.

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